THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No. 15179 OF 2006
DATED: 21.07.2006

BETWEEN:

Veerabathini
Janardhan
....Petitioner

And

1. The Election Officer, State.I/Returning
Officer, Prasanth Nagar Village, Siddipet,
Medak District and others. ....Respondents

THE HONOURABLE SRI JUSTICE P.S.NARAYANA

W.P.No. 15179 OF 2006

ORDER:

The writ petition is filed praying for a writ of Mandamus declaring the action of the 1st respondent in not following the law under Section 19 of A.P. Panchayat Raj Act, 1994 and not rejecting the nomination paper of the 5th respondent as illegal, arbitrary and in violation of Section 19 of the Panchayat Raj Act, 1994 and consequently to declare that the 5th respondent is not eligible to contest for the Sarpanch, and pass such other suitable orders.

The main ground raised is that the 5th respondent incurred disqualification under Section 19 (3) of A.P. Panchayat Raj Act, 1994 but the Returning Officer had exercised the discretion and accepted the nomination. This being a factual aspect, this Court cannot interfere. However, such objections, if any, shall be raised at the appropriate stage. Except giving this opportunity, nothing else can be done.

With the above observation, the writ petition is dismissed. No order as to costs.

21st July, 2006

Nn.